

EXTERNAL (for general distribution)

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Further information on UA 354/91 (AFR 44/13/91, 25 October 91) - and follow-up(s): AFR 44/14/91 (31 October 1991) and AFR 44/15/91 (4 November 1991) - Death penalty/legal concern

Nigeria: Paul Iguele

Sunday Tomoloju  
Trooper Olajide Adelaku  
Trooper Chris Aniebi  
Lance Corporal Pullen Blacky  
Private Okam Enana  
Lance Corporal Lucky Iwiero  
Warrant Officer Jomo James  
Warrant Officer David Mukoro  
Sergeant Gatir Ortoo  
Trooper Fakolade Taiwo

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The 11 prisoners named above are reported to remain in incommunicado detention following their conviction in secret trials by a government-controlled military court.

The 11 comprise nine army officers and two civilians who were convicted of treason and concealment of treason in October 1991 after a third *in camera* trial before a Special Military Tribunal. All 11 were charged with involvement in a coup attempt in April 1990. Eight were sentenced to death but later had their sentences commuted to imprisonment; the three others received life sentences, later commuted to 10 years' imprisonment. Some or all of the 11 were apparently acquitted at two previous trials on the same charges. The third trial was then held with different members of the military government presiding. This trial was grossly unfair: the court could not be considered independent, the earlier acquittals were ignored and the defendants had no right of appeal.

Amnesty International is again calling on the authorities to release those prisoners who were previously acquitted and to allow those not previously acquitted to appeal against the decisions of the Special Military Tribunal to a higher, independent court. It is also calling for them to be given full access to lawyers and family.

The legal basis for their incommunicado imprisonment is not clear. The State Security (Detention of Persons) Decree, No. 2 of 1984, as amended, permits the Vice-President to order the detention without charge or trial, for an indefinitely renewable period of six weeks, of any person suspected of threatening the security of the state. Several relatives of people suspected of involvement in the April 1990 coup attempt have been detained under this

decree for nearly two years, effectively held as hostages.

**FURTHER RECOMMENDED ACTION: Please send express and airmail letters**

- expressing concern that the 11 prisoners convicted by the Special Military Tribunal in October 1991 are reportedly still held in incommunicado detention following their conviction;

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- seeking information about the legal basis of their continued detention incommunicado and calling for them to be given full access to lawyers and family;

- continuing to seek information about the three trials of these prisoners, including the date and place of the trials, the identity of the accused in each trial, details of the charges against each one, and the identity of those acquitted and those convicted in each trial;

- appealing for the release of those prisoners who were previously acquitted and for those not previously acquitted to be allowed to appeal against the decisions of the Special Military Tribunal to a higher, independent court.

**APPEALS TO:**

1. General Ibrahim Babangida

**Mr President**

President, Commander-in-Chief of the Armed Forces  
State House  
Abuja  
Federal Capital Territory  
Nigeria

2. Admiral (Retd) Augustus Aikhomu

**Dear Admiral Aikhomu**

Vice-President  
State House  
Abuja  
Federal Capital Territory  
Nigeria

3. General Sani Abacha

**Dear General Abacha**

Chief of Defence Staff and Minister of Defence  
Defence Headquarters  
Ministry of Defence  
Abuja  
Federal Capital Territory  
Nigeria

**COPIES OF YOUR APPEALS TO:**

General (Retd) Ike O.S. Nwachukwu  
Minister of Foreign Affairs  
Ministry of Foreign Affairs  
PMB 130  
Garki, Abuja

Federal Capital Territory  
Nigeria

and to the following newspapers:

National Concord, POB 4483, Ikeja, Lagos, Nigeria

Vanguard, PMB 1007, Apapa, Lagos, Nigeria

Newswatch, PMB 21499, Ikeja, Lagos, Nigeria

Nigerian Mirror, Iweka Road, Onitsha, Anambra State, Nigeria

Daily Star, 9 Works Road, PMB 1139, Enugu, Enugu State, Nigeria

and to diplomatic representatives of Nigeria in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 21 April 1992.